

Court of Appeals, Division One
Criminal

1 CA-CR 15-0417

STATE v. HAGEE

Appellate Case Information

Case Filed: 22-Jun-2015

Case Closed: 22-Jul-2016

Reinstated x 1: 4-Aug-2016

Re-Closed:

Decision

Dept/Composition

Department A

Hon. Margaret H Downie

Hon. Kent E Cattani

Hon. Donn Kessler

Side 1. STATE OF ARIZONA, Appellee

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorneys for: Appellee

David D Weinzwieg, Esq. (AZ Bar No. 18687)

Side 2. SCOTT ROBERT HAGEE, Appellant

(Litigant Group) SCOTT ROBERT HAGEE

- Scott Robert Hagee

Attorneys for: Appellant

Brent E Graham, Esq. (AZ Bar No. 11868)

CASE STATUS

Nov 15, 2016....Pending in ASC

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CR2013-004709-002	First Degree Murder, Class 1; Attempted Armed Robbery, Class 2; Conspiracy to Commit Armed Robbery, Class 2; Burglary in the Third Degree, Class 4	Life without the possibility of parole; 15 Years; 5 Years; 2.5 Years	Warren J Granville, Sentencing	JURY	

DESCENDENT CASE(S)

ASC CR-16-0343-PR

CASE DECISION

07-Jun-2016 MEMORANDUM DECISION

Margaret Downie.....Author

Kent Cattani.....Concur

Donn Kessler.....Concur

Filed: 07-Jun-2016

Mandate:

Decision Disposition

Affirmed

51 PROCEEDING ENTRIES

1. 12-Jun-2015 FILED: Courtesy Copy of Notice of Filing of Appeal From Superior Court
2. 22-Jun-2015 FILED: Notice of Appeal from Maricopa County Superior Court filed 06/12/15. Notification sent to Court Reporters dated 06/18/2015
3. 17-Jul-2015 FILED: Reporter's Transcript - 03/24/15 - Trial - (Jane Westlund)
4. 19-Jul-2015 FILED: Reporter's Transcript - 03/23/15 - Trial - (Jane Westlund)
5. 21-Jul-2015 FILED: Courtesy Copy of Designation of Record for Appeal Filed in Superior Court (Appellant)
6. 21-Jul-2015 FILED: Reporter's Transcript - Trial Cont'g 3/25/15 (Luz Franco)
7. 22-Jul-2015 FILED: Reporter's Transcripts - Complex Case Mngmnt Conf - 11/19/14 (Luz Franco)
8. 22-Jul-2015 FILED: Reporter's Transcripts - Status Conference - 2/23/15 (Luz Franco)
9. 22-Jul-2015 FILED: Reporter's Transcript 06/12/2015 Sentencing (Crystal Hereford)

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10. 22-Jul-2015 ORDERED: Court Reporter Rochelle Dobbins transcripts dated 3/4/15, 3/10/15, 3/11/15, 3/12/15, 3/17/15, 3/18/15, 3/19/15, 3/26/15 due 8/21/15. Hon Samuel A Thumma - Author
11. 22-Jul-2015 ORDERED: Court Reporter Michael Babicky transcripts dated 1/16/15, 1/23/15, 2/5/15 due 8/21/15. Hon Samuel A Thumma - Author
12. 22-Jul-2015 ORDERED: Court Reporter Luz Franco transcripts dated 11/19/14, 2/23/15, 3/25/15 due 8/21/15. Hon Samuel A Thumma - Author
13. 23-Jul-2015 FILED: Reporter's Transcripts - 01/16/2015 - (Michael Babicky)
14. 23-Jul-2015 FILED: Reporter's Transcripts - 01/23/2015 - (Michael Babicky)
15. 23-Jul-2015 FILED: Reporter's Trranscripts - 02/05/2015 - (Michael Babicky)
16. 24-Jul-2015 FILED: e-Record on Appeal:
Instruments/Minute Entries: Combined
Disposition Report: None
Exhibits: None
17. 24-Jul-2015 FILED: Additional Record on Appeal
Exhibits:
Hearing Date 02/23/15 - LIST # 1 In Manila Envelope.
Hearing Date 03/10/15 - LIST # 1 2 3 4 5 7 8 9 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 103 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 234 235 236 237 238 239 240 241 242 266 275 280 281 282 283 284 285 286 288 289 290 291 292 293 294 297 298 299 300 301 302 303 304 305 306 307 312 313 314 317 318 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 In Manila Envelope.
Hearing Date 06/12/15 - LIST # 1 In Manila Envelope.
Sealed item:
Confidential Criminal History Addendum In Sealed Manila Envelope.
18. 29-Jul-2015 FILED: Reporter's Transcript - 3/23/15 - Trial Day 7 (Kristen Brown)
19. 29-Jul-2015 FILED: Reporter's Transcript - 03/23/2015 - Trial Day 7 (Kristen Brown) (Duplicate)
20. 26-Aug-2015 FILED: Motion for Extension of Time to File Transcripts, (Rochelle L. Dobbins)
21. 31-Aug-2015 ORDERED: Motion for Extension of Time to File Transcripts, (Rochelle L. Dobbins) = GRANTED. Due Dates EXTENDED to 10/15/2015 for Transcripts dated 03/10/2015, 03/11/2015, 03/12/2015, 03/17/2015, 03/18/2015, 03/19/2015, 03/26/2015, 03/04/2015 or OSC on 10/21/2015. FURTHER ORDERED: If transcripts are not filed by 10/15/2015, a monetary sanction shall be imposed on Rochelle Dobbins in the amount of \$75 per day beginning 10/16/15 until transcripts filed. Hon Samuel A Thumma - Author
22. 15-Oct-2015 FILED: Reporter's Transcripts 03/10/2015, Trial Proceedings, (Rochelle L. Dobbins)
23. 15-Oct-2015 FILED: Reporter's Transcripts 03/11/2015, Trial Proceedings, (Rochelle L. Dobbins)
24. 15-Oct-2015 FILED: Reporter's Transcripts 03/12/2015, Trial Proceedings, (Rochelle L. Dobbins)
25. 15-Oct-2015 FILED: Reporter's Transcripts 03/17/2015, Trial Proceedings, (Rochelle L. Dobbins)
26. 15-Oct-2015 FILED: Reporter's Transcripts 03/18/2015, Trial Proceedings, (Rochelle L. Dobbins)
27. 16-Oct-2015 FILED: Reporter's Transcripts - 03/19/2015 - (Rochelle L. Dobbins)
28. 17-Oct-2015 FILED: Reporter's Transcripts - 03/26/2015 - (Rochelle L. Dobbins)
29. 20-Oct-2015 FILED: Reporter's Transcripts - 03/04/15 - (Rochelle L. Dobbins)
30. 22-Oct-2015 FILED: Notice of Completion of Record

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31.	27-Oct-2015	FILED: Motion to Withdraw and Substitute New Counsel; Motion to Extend Opening Brief Due Date; Certificate of Service (Appellant)
32.	29-Oct-2015	ORDERED: A monetary sanction is imposed on Rochelle Dobbins in the amount of \$150 for failure to timely file the transcripts due in this case, with payment to be made to this court through the Clerk of Court no later than 11/13/15. FURTHER ORDERED: Should Ms. Dobbins wish to dispute the monetary sanction, she may appear in Courtroom 1 of this court on Wednesday, 11/04/15, at 2:30 p.m. to show cause, if any exists, why she should not be held in civil contempt and/or why this monetary sanction is not appropriate Hon Samuel A Thumma - Author
33.	4-Nov-2015	ORDERED: Motion to Withdraw and Substitute New Counsel(Appellant) = GRANTED/Appointing Brent Graham as attorney for appellant. FURTHER ORDERED: Maricopa County Public Defender forward all files to new counsel. FURTHER ORDERED: Motion to Extend Opening Brief Due Date(Appellant) = GRANTED. Due date EXTENDED from Monday, 12-07-2015 to Friday, 12-18-2015. Anthony Mackey ProTem Judge - Author
34.	24-Nov-2015	ORDERED: Court Reporter Rochelle Dobbins sanction due by 12/04/2015 or OSC on 12/16/2015. Hon Samuel A Thumma - Author
35.	14-Dec-2015	RECEIPT No.: 2015-01715 ; \$150.00 Applied to: Rochelle Dobbins - \$75 Sanction (\$150.00) Paid for: Rochelle Dobbins - By Rochelle Dobbins
36.	18-Dec-2015	FILED: Appellant's Opening Brief; Certificate of Rule 31.13(b) Compliance; Certificate of Service (Appellant)
37.	8-Jan-2016	FILED: Notice of Appearance; Certificate of Service (Appellee)
38.	2-Feb-2016	ORDERED: Answering Brief due date EXTENDED from Monday, 02-01-2016 to Wednesday, 03-02-2016. Fred Cole ProTem Judge - Author
39.	2-Mar-2016	FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
40.	14-Mar-2016	FILED: Appellant's Reply Brief; Certificate of Rule 31.13(b) Compliance; Certificate of Service (Appellant)
41.	30-Mar-2016	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
42.	4-Apr-2016	FILED: Supplemented Superior Court e-Record with Revised Index of Record (includes copy of transcript of proceedings held 3/23/15 filed directly with COA1 previously)
43.	29-Apr-2016	CLNDR: CONFERENCE, Department A, 5-31-16, COURTROOM 1.
44.	7-Jun-2016	MEMORANDUM DECISION (Affirmed) Hon Margaret H Downie - Author; Hon Kent E Cattani Judge - Concur; Hon Donn Kessler - Concur
45.	7-Jun-2016	FILED: Memorandum Decision Distribution List
46.	22-Jul-2016	FILED: Mandate, Record returned to superior court.
47.	1-Aug-2016	FILED: Motion to Recall Mandate and Permit Time to File Petition for Review of Memorandum Decision; Certificate of Service - Hagee Motion to Recall Mandate (Appellant)
48.	4-Aug-2016	ORDERED: Motion to Recall Mandate and Permit Time to File Petition for Review of Memorandum Decision (Appellant) = GRANTED/Recalling mandate issued 07/22/2016. FURTHER ORDERED: Extending the due date for the filing of a Motion for Reconsideration or Petition for Review to the Arizona Supreme Court to 09/08/2016. Hon Margaret H Downie - Author
49.	6-Sep-2016	FILED: ASC Order filed 09/06/2016 re: extending time for filing Petition for Review to 10/11/2016
50.	15-Nov-2016	FILED: Email Notice from ASC re: Petition for Review filed 10/6/16; request for partial record
51.	15-Nov-2016	FILED: Letter forwarding partial record to Arizona Supreme Court